

REMARKS

Claims 1-13 are pending in this application. Support for the amendments to Claim 1 can be found at page 5 of the specification and in Figure 1. Support for new Claims 6-13 is found at pages 6-8 of the specification. No new matter is contained in the newly presented claims.

Restriction Requirement Issue

The Office Action of September 7, 2004 indicates that the Restriction Requirement is maintained and made "final". In response to the indication of finality of the Restriction Requirement, Applicant maintains a traversal against the basis for the Restriction Requirement for the reasons stated in the Response to Restriction Requirement filed on August 23, 2004, which reasons are deemed repeated herein.

Issues Under 35 U.S.C. § 102

Claim 1 has been rejected under 35 U.S.C. 102(e) as being anticipated by Sullivan '364 (USP 6,773,364). Claim 1 has also been rejected under 35 U.S.C. 102(e) as being anticipated by Weidenhammer '130 (USP 6,544,130).

The above-noted rejections are traversed for the following reasons:

Distinctions between Present Invention and Sullivan '364

Sullivan '364 discloses a golf ball 10 having an inner core 12 which is encompassed by an intermediate layer 14 and a cover 16 with dimples 18 as shown in Figure 1a. The intermediate layer 14 includes projections 20 and 22 as shown in Figure 1a and Figures 2a - 2e. The projections may take a variety of shapes as described at column 2, lines 44-51 and column 5, lines 59-65.

Sullivan '364 fails to disclose a golf ball having a cover with dimples, wherein the concave dimple portions on the cover correspond to concave dimple portions on the core. Sullivan '364 also fails to disclose a golf ball having a cover wherein convex portions on the inner surface of the cover correspond to the concave portions of the dimples on the outer surface of the cover as in the present invention.

Consequently, significant patentable distinctions exist between the present invention and Sullivan '364, such that the above-noted rejection based on Sullivan '364 should be withdrawn.

Distinctions between Present Invention and Weidenhammer '130

Weidenhammer '130 discloses a practice golf ball 10, which includes a dimple pattern 12, which is formed from an inner hollow shell 14 upon which layers of material 16 and 18 are coated as shown in Figure 1 and described at the bottom of column 2.

Weidenhammer '130 discloses at the top of column 3 that the layer 16 has a preferred thickness of 0.025 - 0.100 mm and that the second layer 18 has a preferred thickness of 0.025 - 0.200 mm.

Weidenhammer '130 fails to disclose or suggest a golf ball having a solid core as in the golf ball of the present invention. Note that Weidenhammer '130 requires that the shell 14 define a "hollow internal area 15...", (col. 2, lines 58-59). The golf ball of Weidenhammer '130 is intended to have a very light weight, so as to be vulnerable to wind resistance and so as to travel a much shorter distance than a regulation golf ball as noted at col. 1, lines 23-29. Thus, an attempt to put a "solid" core into the hollow golf ball of Weidenhammer '130 would destroy the wind resistance and short flight distance properties required for the described ball, such that the design disclosed by Weidenhammer '130 is simply, incompletely incompatible with the design of the golf ball of the present invention. Consequently, significant patentable distinctions exist between the present invention and Weidenhammer '130, such that the above-noted rejection based on Weidenhammer '130 must be withdrawn.

It is submitted for the reasons stated hereinabove, that the present claims define patentable subject matter, such that the present application should be placed into condition for allowance.

Conclusion

If any issues remain in the present application, the Examiner is respectfully requested to contact Applicant's representative, Andrew D. Meikle (Reg. No. 32,868), in the Washington metropolitan area at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By _____

Andrew D. Meikle, #32,868

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

ADM:kdm
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